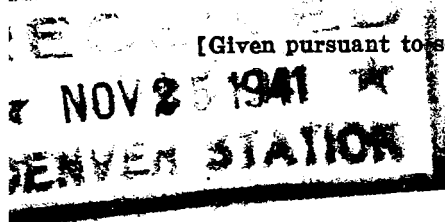


FEDERAL SECURITY AGENCY

FOOD AND DRUG ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FEDERAL FOOD, DRUG,
AND COSMETIC ACT

[Given pursuant to section 705 of the Food, Drug, and Cosmetic Act]

276-325

DRUGS AND DEVICES

The cases reported herewith, commenced prior to June 30, 1940, were instituted in the United States District Courts by the United States attorneys acting upon reports submitted by direction of the Secretary of Agriculture; and those commenced on and after that date were similarly instituted upon reports submitted by direction of the Federal Security Administrator.

PAUL V. McNUTT, *Administrator, Federal Security Agency.*

Washington, D. C., August 28, 1941.

CONTENTS

	Page		Page
Drugs and devices seized because of potential danger when used according to directions or because of failure to bear adequate directions or warning statements.....	127	Drugs and devices actionable because of false and misleading therapeutic claims.....	135
		Scalp remedies.....	135
		Therapeutic lamps.....	137
		Veterinary remedies.....	138
		Miscellaneous.....	139
Drugs actionable because of deviation from official or own standards or because of substitution.....	130	Habit-forming drug not bearing warning statement on its label.....	143
Vitamin preparations.....	130	Drug failing to bear required ingredient statement.....	143
Digitalis.....	132	Drugs in deceptive containers or falsely labeled as to quantity of contents.....	144
Miscellaneous.....	133	Nonsterile surgical dressings.....	144
		Prophylactics.....	145
		Index.....	147

DRUGS AND DEVICES SEIZED BECAUSE OF POTENTIAL DANGER
WHEN USED ACCORDING TO DIRECTIONS OR BECAUSE OF FAILURE
TO BEAR ADEQUATE DIRECTIONS OR WARNING STATEMENTS

276. Misbranding of Arbolone Tablets. U. S. v. 141 Packages of Arbolone Tablets. Default decree of condemnation and destruction. (F. D. C. No. 2355. Sample No. 4516-E.)

This product consisted of thyroid and extracts of plant drugs. It would be dangerous to health when used in the dosage or with the frequency or duration prescribed, recommended, or suggested in the labeling, which recommended a dosage for adults of one tablet after each meal and at bedtime. Its labeling

also contained representations that it was efficacious in the treatment of simple obesity or ordinary overnutrition where the excessive weight was due to overeating or overdrinking, or both; and that in indicated cases, it should be of benefit providing reasonable diet habits were observed, which representations were false and misleading since it would not constitute an adequate, appropriate, or safe treatment for simple obesity or ordinary overnutrition where the excessive weight was due to overeating or overdrinking, or both.

On July 16, 1940, the United States attorney for the Northern District of Illinois filed a libel against 141 packages of Arbolone Tablets at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about May 6, 1940, by the Arbolone Co. from Dayton, Ohio; and charging that it was misbranded.

On October 22, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

277. Misbranding of Dr. T. F. Ealy's Baby Powders. U. S. v. 64 Packages of Dr. T. F. Ealy's Baby Powders. Default decree of condemnation and destruction. (F. D. C. No. 2145. Sample No. 3147-E.)

This product contained calomel, plant material, calcium carbonate, and a small proportion of saccharin. It would be dangerous to health when used in the dosage or with the frequency or duration prescribed, recommended, or suggested in the labeling which recommended it as a mild laxative for children and which contained directions that for a 1-year-old child, 1 powder should be given at a time, 12 hours apart, until the bowels move freely, that for a month-old child one-twelfth of a powder should be given, and that for a 2-months-old child one-sixth of a powder, etc.; and that for children over a year old, the powders should be given more frequently, but the dose should not be made larger.

On June 3, 1940, the United States attorney for the Western District of Pennsylvania filed a libel against 64 packages of baby powders at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce on or about April 9, 1940, by L. O. Ealy from Steubenville, Ohio; and charging that it was misbranded for the reasons appearing above.

On October 5, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

278. Misbranding of Eczematone. U. S. v. 72, 33, and 10 Packages of Eczematone. Default decree of condemnation and destruction. (F. D. C. No. 2180. Sample No. 16232-E.)

This product would be dangerous to health when used as directed in the labeling, which bore false and misleading representations regarding its efficacy in the conditions indicated below.

On June 7, 1940, the United States attorney for the Western District of Missouri filed a libel against 115 various-sized packages of Eczematone at Kansas City, Mo., alleging that the article had been shipped in interstate commerce on or about April 11, 1940, by the Barlow Chemical Association from Oklahoma City, Okla.; and charging that it was misbranded.

Analysis showed that the article consisted essentially of alcohol (85 percent), mercuric chloride (0.37 percent), and water.

The article was alleged to be misbranded in that representations in the labeling that it would aid nature and promote healing; that it was an invigorating, stimulating treatment; and that it was efficacious in the treatment of minor irritating skin and scalp disorders, sprains, minor aches and pains that could be reached by external application, and of burning, itching and loose, scaly, dandruff were false and misleading since it was not efficacious for the purposes recommended.

It was alleged to be misbranded further in that it was dangerous to health when used in the dosage or with the frequency or duration prescribed, recommended, or suggested in the labeling, namely: "Directions apply freely to parts affected two or three times a day * * * Directions apply freely to roots of the hair, massage in well every other day for a week. Shampoo the hair thoroughly, and when dry apply another application of Eczematone immediately. Repeat the following week if necessary. After that, apply freely once a week for continued results."

On September 16, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.